

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 205

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Joe M Stell

AN ACT

RELATING TO LIVESTOCK; INCREASING FEE LIMITS FOR THE SUPPORT OF
THE NEW MEXICO LIVESTOCK BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 77-2-29 NMSA 1978 (being Laws 1981,
Chapter 357, Section 2, as amended) is amended to read:

"77-2-29. FEES. --The following fees shall be fixed by the
board for services rendered pursuant to the provisions of The
Livestock Code:

A. an inspection or permit fee not to exceed
sixteen cents (\$.16) per head to be charged for the importation
or exportation of sheep and goats pursuant to Section 77-8-3
NMSA 1978 and a service charge in an amount not to exceed ten
dollars (\$10.00) for each inspection request; provided that the
board shall not increase the inspection fee more than four

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 cents (\$.04) in any one fiscal year;

2 B. a fee for recording a transfer of a brand
3 pursuant to Section [~~77-9-7 NMSA 1978, as recompiled~~] 77-2-7.1
4 NMSA 1978 in an amount not to exceed [~~fifty dollars (\$50.00)~~]
5 one hundred dollars (\$100);

6 C. a fee for recording a brand or researching a
7 brand pursuant to Section [~~77-9-10 NMSA 1978, as recompiled~~]
8 77-2-7.4 NMSA 1978 in an amount not to exceed [~~fifty dollars~~
9 ~~(\$50.00)~~] one hundred dollars (\$100);

10 D. a fee for additional copies of certified copies
11 of brands pursuant to Section [~~77-9-10 NMSA 1978, as~~
12 ~~recompiled~~] 77-2-7.4 NMSA 1978 in an amount not to exceed [~~five~~
13 ~~dollars (\$5.00)~~] ten dollars (\$10.00) per copy;

14 E. a fee for the recording of a holding brand
15 pursuant to Section [~~77-9-16 NMSA 1978, as recompiled~~] 77-2-7.9
16 NMSA 1978 in an amount not to exceed one hundred dollars
17 (\$100), which recording shall be valid for one year from the
18 date of recording, and an additional fee in an amount not to
19 exceed one hundred dollars (\$100) for each annual renewal;

20 F. a fee for the rerecording of brands pursuant to
21 Section [~~77-9-20 NMSA 1978, as recompiled~~] 77-2-7.12 NMSA 1978
22 in an amount not to exceed [~~fifty dollars (\$50.00)~~] one hundred
23 dollars (\$100);

24 G. a fee for the inspection of livestock pursuant
25 to Section 77-9-38 or 77-10-4 NMSA 1978 in an amount not to

. 149418. 1

underscored material = new
[bracketed material] = delete

1 exceed fifty cents (\$.50) per head and a service charge in an
2 amount not to exceed ten dollars (\$10.00) for each inspection
3 request; provided that the board may not increase the
4 inspection fee more than ten cents (\$.10) in any one fiscal
5 year;

6 H. a fee for the inspection of hides pursuant to
7 Section 77-9-54 NMSA 1978 in an amount not to exceed fifty
8 cents (\$.50) per hide and a service charge in an amount not to
9 exceed ten dollars (\$10.00) for each inspection request;
10 provided that the board may not increase the inspection fee
11 more than ten cents (\$.10) in any one fiscal year;

12 I. a fee for the handling of the proceeds of the
13 sale of an estray pursuant to Section 77-13-6 NMSA 1978 in an
14 amount not to exceed ten dollars (\$10.00);

15 J. a fee for the impoundment of trespass livestock
16 pursuant to Section 77-14-36 NMSA 1978 in an amount not to
17 exceed ten dollars (\$10.00) per head per day and a reasonable
18 charge for the moving of trespass livestock pursuant to Section
19 77-14-36 NMSA 1978 to be set by the board;

20 K. a fee for the licensing of a livestock auction
21 market pursuant to Section 77-10-2 NMSA 1978 in an amount not
22 to exceed twenty-five dollars (\$25.00);

23 L. a fee for issuing a transportation permit
24 pursuant to Section 77-9-42 NMSA 1978 in an amount not to
25 exceed fifty dollars (\$50.00);

. 149418. 1

underscored material = new
[bracketed material] = delete

1 M a fee for the licensing of a cattle or sheep
2 rest station pursuant to Section 77-9A-2 NMSA 1978 in an amount
3 not to exceed twenty-five dollars (\$25.00); and

4 N. a fee for issuing a certificate of brand
5 exemption pursuant to Section 77-8-22 or [Section] 77-9-3 NMSA
6 1978 in an amount not to exceed [~~fifty dollars (\$50.00)~~] one
7 hundred dollars (\$100). "

8 Section 2. Section 77-17-2 NMSA 1978 (being Laws 1939,
9 Chapter 115, Section 2, as amended) is amended to read:

10 "77-17-2. LICENSES-- BUTCHER OR SLAUGHTERER-- DEALER IN
11 FRESH MEAT OR LIVESTOCK OR POULTRY MEAT PRODUCTS OR MEAT FROM
12 OTHER BIRDS AND ANIMALS USED FOR HUMAN CONSUMPTION-- COLD
13 STORAGE LOCKER-- RENDERING PLANT. --

14 A. A person carrying on or desiring to carry on the
15 business of butcher or slaughterer of livestock used for human
16 consumption shall procure a license from the board prior to
17 carrying on the business and shall pay a yearly license fee [~~of~~
18 ~~twenty-five dollars (\$25.00)~~] not to exceed one hundred dollars
19 (\$100).

20 B. In addition, such person may be charged
21 reasonable fees for meat inspection service over and above the
22 inspector's normal working assignment under the rules of the
23 board pertaining to meat inspection.

24 C. Application for licensure shall be made upon a
25 form prescribed by the board and shall be accompanied by the

underscored material = new
[bracketed material] = delete

1 amount of the license fee provided in this section. The
2 license [~~fees~~] fee shall not be prorated on account of the
3 applicant doing business for less than a full calendar year,
4 and the license renewal fee in [~~these~~] the same [~~amounts~~]
5 amount shall be paid for each calendar year in which any person
6 engages in the business and be paid at the time prescribed by
7 rules of the board.

8 D. A person carrying on or desiring to carry on the
9 business of selling or dealing in the fresh meat or meat
10 products of livestock used for human consumption or livestock
11 or poultry meat products or manufacturing or processing of meat
12 or poultry products or operating a rendering plant or operating
13 a cold storage locker plant in which cold storage lockers are
14 rented or leased to other persons shall obtain a license to
15 engage in the business from the board after making application
16 upon forms prescribed by the board and upon payment of an
17 annual license fee in an amount set by the board not to exceed
18 [~~ten dollars (\$10.00)~~] one hundred dollars (\$100). Annual
19 renewal fees are payable at times prescribed by rule of the
20 board. No bond or bond filing fee is required for any person
21 licensed pursuant to this subsection.

22 E. Licenses provided for in this section shall not
23 be issued to a person who is not meeting the requirements for
24 facilities and product handling provided for in the federal and
25 state meat inspection acts and United States department of

underscored material = new
[bracketed material] = delete

1 agriculture food safety inspection service and board rules.
2 For good cause shown, the board may, after notice to the holder
3 of a license provided for in this section and after a
4 reasonable hearing, revoke a license. "

5 - 6 -
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25